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ABSTRACT

In reaction to the "Hopwood v. Texas" decision, which declared the use of race in college admissions illegal, Texas created a percentage plan that guaranteed admission to students who graduate within a specified percentile of their high school class. Under the Texas plan, any student graduating in the top 10% of his or her high school class is guaranteed admission to any state college or university. Other states have adopted such plans, and the features of percentage plans in five states are outlined in this brief. Only the plan in Texas has been in existence long enough to be evaluated, and the conclusion of the chair of the U.S. Commission on Civil Rights is that the university system now rejects minority students who would have been admitted in the past, and who would have succeeded in college. However, the University at Texas has been able to maintain the same percentage of minority students after "Hopwood" by using the percentage plan. It appears, however, that minority students who attend very strong high schools, who would do better than students who attended weak high schools and finished in the top 10% of their classes, may not be able to attend state institutions. (SLD)

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"Percentage Plans" for College Admissions

American Council on Education

January 2001

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ACE Issue Brief

January 2001

"Percentage Plans" for College Admissions

In *Hopwood v. Texas* (1996), the Fifth Circuit Court of Appeals declared the use of race in admissions illegal in the binding states of Louisiana, Mississippi, and Texas. In reaction to this decision, in 1998 Texas created a "percentage plan" guaranteeing admission to students who graduate within a specified percentile of their high school class. Florida and California, states outside the Fifth Circuit where affirmative action policies have been struck down or challenged, have followed the lead of Texas and created their own percentage admissions plans. Although the consequences of these new admission policies are still uncertain, this memorandum provides an overview of the current policy landscape, as well as early data hinting at potential outcomes of these new policies.[1]

Under the 1998 Texas plan, any student graduating in the top 10 percent of his or her high school class is guaranteed admission to any state college or university. California and Florida also have adopted similar measures slated to take effect next year. California's plan will admit the top 4 percent of a high school's class to the University of California, while Florida's plan taps the top 20 percent for the state's public universities. Unlike Texas, both California and Florida do not guarantee admission to the institution of the student's choice, but rather one of the state's public universities.

Most recently, two states, Pennsylvania and Colorado, have debated the adoption of a "percentage plan." Pennsylvania abandoned its proposal after reviewing arguments offered by opponents of such initiatives. Pennsylvania is now considering a statewide standardized test to be used in a manner similar to percentage plans. In Colorado, Senator Bob Martinez has introduced a bill that would ensure admission to any University of Colorado branch campus as long as a student ranks in the top 20 percent of his or her graduating class.

	General Guidelines of State Plans
Texas	Guarantees admission to any student ranked in top 10 percent of his or her high school class. Qualified students are guaranteed admission to any public institution in the state.
California	Guarantees admission to any student ranked in the top 4 percent of his or her high school class. Unlike Texas, this plan only guarantees admission to one of the University of California campuses. It does not guarantee students admission to the institution of their choice.
Florida	Guarantees admission to any student who completed a prescribed 19 unit academic high school curriculum and is ranked in the top 20 percent of his or her high school class. Like California, this plan only guarantees admission to one of Florida's state colleges or universities.
Pennsylvania	State recently abandoned plan to admit any student ranked in the top 15 percent of his or her high school class. Instead, the state is now considering admitting students who score well on a statewide standardized test.
Colorado	State is considering a plan that would guarantee admission to one of the University of Colorado campuses if a student ranks in the top 20 percent. A student would be granted his or her first choice as long as he or she enrolled within two years of his or her high school graduation and submitted an admission application within the institution's deadline.

[1] This memo was researched and written by Frank Shushok, research assistant in the ACE Center for Policy Analysis.

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Since the use of percentage plans is a relatively new approach for ensuring student diversification in higher education, little is known about the outcomes of such efforts. Only the Texas plan has been in existence for a time period sufficient to analyze the potential impact of using "percentages" for admitting undergraduates. The University of Texas at Austin and Texas A&M University are the two public institutions which have historically utilized selective admission standards. According to a study conducted by the University of Texas at Austin, that institution is enrolling as many minority undergraduate students today as it did prior to the Hopwood decision. In 1996, Hispanic students represented 14 percent of undergraduate students while black students accounted for 4 percent of the population. A review of 1999 enrollment figures suggests a negligible impact, with Hispanic and black students continuing to account for 14 and 4 percent of enrollment, respectively.

However, Mary Frances Berry, who chairs the U.S. Commission on Civil Rights, warns that these numbers cannot be taken at face value.[2] Berry credits Austin's substantial "outreach efforts" to the institution's success in maintaining campus racial diversity. The acceptance rate, Berry asserts, may better gauge the plan's impact. In 1996, 65 percent of Hispanic and 57 percent of black applicants to the University of Texas were admitted. By 1999, the number of admitted Hispanic and black students had fallen to 56 and 46 percent respectively. The admission of white students remained steady from 1996 to 1999 at 62 percent. Berry, therefore, concludes that " . . . the university now rejects minority students who would have been admitted under affirmative action and who, based on past experience, would have succeeded."[3]

The University of Texas	1996 pre-Hopwood	1997 post-Hopwood	1998 post-10% Plan	1999	Difference 1996 to 1999
Hispanic Enrollment	14%	13%	13%	14%	0%
Hispanic Acceptance Rate	65%	-----	-----	57%	-8%
Black Enrollment	4%	3%	3%	4%	0%
Black Acceptance Rate	56%	-----	-----	46%	-10%
White Enrollment	65%	-----	-----	63%	-2%
White Acceptance Rate	65%	67%	65%	62%	-3%

Adapted from AAC&U Diversity Digest, Spring/Summer, 2000.[4]

Although it is difficult to predict how "percentage plans" in Florida and California will impact enrollment patterns in these states, critics contend that class-rank admissions policies will include many under-prepared students, while excluding many academically capable students. Data provided by the Florida Department of Education indicate that grade point averages of the top 20 percent of students vary substantially from high school to high school. In 75 of Florida's 570 high schools, for example, students with a high "C" grade point average could graduate in the top 20 percent of their class. To the contrary, a student with a high "B" average at an academically rigorous high school might not reach the 20 percent threshold. It is also important to note that white students compose 59 percent of the high school seniors in Florida, but make up over 67 percent of students in the top fifth. On the contrary, blacks comprise 23 percent of seniors and only 14 percent of the top fifth.[5]

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[2] Comments by U.S. Commission on Civil Rights in the April 21, 2000 edition of the Chronicle of Higher Education.
[3] See Berry's "Point of View" in the August 4, 2000 edition of the *Chronicle of Higher Education*.
[4] See UT, Austin, Report Number 2 (1/17/2000).
[5] See Selingo, Jeffrey. What States Aren't Saying About the X-Percent Solution. *The Chronicle of Higher Education*, June 2, 2000

Acknowledging that the University of Texas at Austin has been able to maintain the same percentage of minority students after *Hopwood* by using a percentage plan, University of California, Berkeley Chancellor Robert M. Berdahl asserts there are social costs to these policies:

> By assuring the access to the top 10 percent of students from all high schools, weak or strong, it may inadvertently have blocked access to minority and majority students who have attended very strong high schools, who have not graduated in the top 10 percent , but who would do better at the University than students who graduated in the top 10 percent from weaker schools. In short, while affirmative action was intended to reward individual merit in college admissions, the effort to attain the over-riding moral objective of racial justice through other means may have actually weakened the merit-based system of admissions.[6]

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[6] Robert Berdahl is the former president of the University of Texas at Austin. His comments were delivered in a speech at Case Western Reserve University. The full text can be accessed on the internet at: http://www.chance.berkeley.edu/cio/chancellor/sp/opportunity.htm

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